

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON**

**KEITH W.R. LOWE,**

Plaintiff,

vs.

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**CIVIL ACTION NO. 2:17-CV-2345**

**DR. SHERRI JOHNSON,  
DAVID BALLARD,  
and JAMES RUBENSTEIN,**

**Honorable Thomas E. Johnston**

Defendants.

**NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL  
ON BEHALF OF DEFENDANT DR. SHERRI JOHNSON**

Pursuant to L.R. Civ P 83.4 of the Local Rules of the United States District Court of the Southern District of West Virginia, the undersigned respectfully notifies the parties and this Honorable Court of the substitution of counsel for the Defendant Dr. Sherri Johnson, as follows:

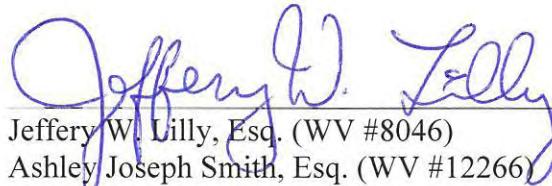
1. Melvin F. O'Brien, Esq.; Michelle D. Baldwin, Esq.; and the law firm of Dickie, McCamey & Chilcote, L.C., 2001 Main Street, Suite 501, Wheeling, West Virginia, 26003, hereby enter their appearance and substitution as counsel of record for Defendant Dr. Sherri Johnson.
2. Jeffery W. Lilly, Esq.; Ashley Joseph Smith, Esq.; and the law firm of Rose Padden Petty Taylor & Lilly, LC, consent to the substitution, withdraw from the representation of Dr. Sherri Johnson, and shall no longer serve as counsel of record in this matter.
3. The substitution of counsel will not delay the trial or other progress of the case. No scheduling order has been entered and no trial date has been set in the above-captioned case at this time.

Respectfully submitted,

/s/ Michelle D. Baldwin

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Melvin F. O'Brien, Esq. (WV #6797)  
Michelle D. Baldwin, Esq. (WV #8058)  
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**Honorable Thomas E. Johnston**

Defendants.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 13<sup>th</sup> day of October, 2021, I electronically filed the foregoing *Notice of Withdrawal and Substitution of Counsel for Defendant Dr. Sherri Johnson* with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following CM/ECF participants:

John P. Fuller, Esq.  
Jeffrey M. Carder, Esq.  
BAILEY & WYANT, PLLC  
500 Virginia St. East, Ste. 600  
Charleston, WV 25337-3710  
*Counsel for Defendants David Ballard and James Rubenstein*

I further certify that the following was served via U.S. Mail, postage prepaid, on the 13<sup>th</sup> day of October, 2021:

Keith W.R. Lowe – Inmate #3380501  
Mount Olive Correctional Complex  
1 Mountainside Way  
Mt. Olive, WV 25185  
*Plaintiff, Pro Se*

DICKIE, McCAMEY & CHILCOTE, L.C.

BY: /s/ Michelle D. Baldwin

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*Counsel for Defendant Dr. Sherri Johnson*